

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

DEFENDANTS' MOTION TO STRIKE ERRATA SHEETS

Biopure Corporation (“Biopure”), Thomas Moore, Carl W. Rausch, J. Richard Crout, Charles A. Sanders, Howard P. Richman, and Ronald F. Richards (“Defendants”) hereby respectfully move this Court for an Order striking portions of errata sheet revisions to deposition transcripts of Plaintiffs Ronald Erickson and John Esposito that directly conflict with sworn testimony, or in the alternative, to allow Defendants to reopen the deposition to inquire about the reasons for the contradictions contained in the errata sheets. As grounds for and in support of this motion, Defendants refer to and incorporate their Memorandum of Law, filed herewith.

Specifically, Defendants ask that the following changes be stricken for Plaintiffs errata sheets:

1. Errata Sheet for Deposition Testimony of Plaintiff Ronald W. Erickson on May 30, 2006:
 - Page 72, Lines 21-22
 - Page 72, Lines 6-10, 13
 - Page 116, Lines 5-12
 - Page 145, Line 19
 - Page 158, Line 10
 - Page 161, Line 22
 - Page 163, Line 24

- Page 164, Line 9
- Page 169, Line 20
- Page 169, Lines 22-24
- Page 170, Lines 2-4
- Page 173, Line 18
- Page 174, Lines 7-12
- Page 174, Line 23
- Page 178, Line 15
- Page 183, Line 13
- Page 188, Line 16
- Page 189, Line 4

2. Errata Sheet for Deposition Testimony of John G. Esposito, Jr. on May 31, 2006:

- Page 98, Line 4
- Page 98, Line 10
- Page 108, Line 6
- Page 121, Line 19
- Page 122, Line 2
- Page 161, Line 2
- Page 161, Line 8
- Page 162, Line 14

WHEREFORE, Defendants request the Court to grant the above-described relief.

REQUEST FOR ORAL ARGUMENT

Defendants, believing that oral argument may assist the Court and wishing to be heard through its counsel, respectfully requests oral argument on this Motion pursuant to Local Rule 7.1(D).

July 25, 2006

Respectfully submitted,

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SANDERS, J. RICHARD CROUT, HOWARD
P. RICHMAN, and RONALD F. RICHARDS,**

By their attorneys,

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LOCAL RULE 7.1(a)(2) and 37.1 CERTIFICATION

I hereby certify that counsel for Defendants conferred with counsel for the Plaintiffs in a good faith effort to resolve or narrow the issues presented in this motion.

/s/ Michael D. Blanchard
Michael D. Blanchard

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above pleading was electronically served upon the attorneys of record for all parties on July 25, 2006.

/s/ Michael D. Blanchard
Michael D. Blanchard